REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments. Claims 1-25 are rejected. Claims 1-25 remain pending in the case. Claims 1, 17 and 25 are amended herein. No new matter has been added.

CLAIM REJECTIONS - 35 U.S.C. § 112, second paragraph

Claims 1-25 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-16 are rejected as being unclear where any/all of the functionality of the claimed method recited in Claim 1 occurs in relation to the overall computer system. Applicants respectfully direct Examiner to independent Claim 1 that recites that an embodiment of the present invention is directed to (emphasis added):

> A method of providing streaming content from the Internet to a telephone using a computer system, the computer system including a telephone interface system coupled in communications with an Internet access system, the telephone interface system being coupled in communications with the telephone, the method comprising:
> receiving an Internet access request <u>at an execution engine</u> of the computer system, the Internet access request based on an implicit preference of a user profile and corresponding to an Internet site outside of the computer system;

receiving the streaming content from the Internet site <u>at a streaming engine</u> of the computer system, the streaming content including an audio portion; and

sending at least the audio portion of the streaming content <u>from a telephone gateway</u> over the telephone interface system to send an audio signal, corresponding to the audio portion, to the telephone.

Applicants also respectfully direct Examiner to Figures 1, 2 and 6, and their corresponding descriptions, in the specification of the present application. In one embodiment, execution engine 202 receives a request to access an Internet site. The request may originate from a number of different sources, such as a voice command from a user, a menu selection by a user, or a command based on a personalization choice by a user (page 45, lines 11-14). That is, the request may originate at telephone 100, cellular telephone 101, or shared database 112 that stores personal profiles for users of Figure 1. In one embodiment, the streaming content is received and cached at streaming engine 224 of Figure 2 (page 45, line 18 through page 46, lines 3). In one embodiment, the streaming content is sent from a telephone gateway to a user's telephone (page 46, lines 9-10).

Applicants respectfully assert that the claims are definite by particularly pointing out and distinctly claiming the subject matter which applicant regards as the invention, and this overcome the rejection under 35 U.S.C. § 112, second paragraph.

Claims 1-25 are rejected as being unclear because the metes and bounds of "user personalization choice" of independent Claims 1, 17 and 25 is unclear. Applicants have removed the claim limitation "user personalization choice" from independent Claims 1, 17 and 25. Therefore, Applicants respectfully submit that a discussion of this rejection under 35 U.S.C. § 112, second paragraph, is moot at this time.

CLAIM REJECTIONS - 35 U.S.C. § 102(b)

Claims 1-9, 13-15, 17, 18 and 21-25 are rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent 5,799,063 by Krane, hereinafter the "Krane" reference. Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 1-9, 13-15, 17, 18 and 21-25 is not anticipated by Krane.

Applicants respectfully direct the Examiner to independent Claim 1 that recites that an embodiment of the present invention is directed to (emphasis added):

A method of providing streaming content from the Internet to a telephone using a computer system, the computer system including a telephone interface system coupled in communications with an Internet access system, the telephone interface system being coupled in communications with the telephone, the method comprising:
receiving an Internet access request at an execution engine of the computer system, the Internet access request based on an

implicit preference of a user profile and corresponding to an
Internet site outside of the computer system;

    receiving the streaming content from the Internet site at a
streaming engine of the computer system, the streaming content
including an audio portion; and

    sending at least the audio portion of the streaming content
from a telephone gateway over the telephone interface system to
send an audio signal, corresponding to the audio portion, to the
telephone.

Independent Claims 17 and 25 recite similar limitations. Claims 2-9 and 13-

15 that depend from independent Claim 1 and Claims 18 and 21-24 that

depend from independent Claim 17 provide further limitations descriptive of the

features of the present invention.

Claim 1, and similarly Claims 17 and 25, recites the limitation of

streaming content to a telephone in response to an Internet access request

based on an implicit preference of a user profile. Krane fails to teach or

suggest this claim limitation. On the contrary, Krane teaches a system and

method of providing access to pre-recorded audio messages via the Internet.

In particular, Applicants understand Krane to teach a system for presenting

information based on an explicit request for information.

As described in the claimed embodiment of the present invention, a

method is provided for providing streaming content over a telephone interface

wherein the streaming content is implicitly requested. Specifically, the claimed

embodiment recites the limitation of an Internet access request for implicitly

based on at least one personalization choice made by the user (see page 45, lines 13-14 of the present application). As described in the specification, user personalization may be used to adopt implicit preferences (see page 32, lines 13-18 of the present application). Specifically, a profile is not established until a user accesses the system for the first time (page 29, line 21 through page 30, line 15). The profile is comprised of information implicitly gathered "based on the user's behaviors and actions" during a call (page 30, lines 21-22, emphasis added).

Thus, the claimed embodiments provide streaming content to a user in response to an Internet request based on an implicit preference of a user profile. As such, streaming content can be provided to a user without the user explicitly requesting the content. In particular, the user personalization profile is based on actions and behaviors of the user.

In contrast, Krane teaches a system for presenting information over a telephone, wherein the information is presented in response to an explicit request for the information. Specifically, a user is required to login to the subscription service (col. 5, lines 18-38). Once the user has logged in, the user "listens and selects" (emphasis added) from a menu of sites (col. 5, lines 39-43). The user makes a selection by either stating a verbal command or interacting with the keypad (col. 5, lines 43-47). In particular, a specific action by a user is required to receive information. Furthermore, accessing a site

from a user's favorite web sites list requires an explicit request (col. 5, lines 39-43). The favorite web sites list is explicitly created by a user indicating which sites to include in the list (col. 5, lines 62-65). In particular, Krane describes a system where the information is presented in response to an explicit user command.

Applicants respectfully submit that Krane does not teach, describe or suggest a method for providing streaming content over a telephone interface wherein the streaming content is implicitly requested. In particular, the system as taught in Krane does not teach or suggest a method for providing streaming content to a telephone in response to an Internet request based on an implicit preference of a user profile. On the contrary, Krane teaches a system where the information is presented based on an explicit user command.

Applicants respectfully assert that Krane teach, disclose or suggest the present invention as recited in independent Claims 1, 17 and 25, and that Claims 1, 17 and 25 are thus in condition for allowance. Therefore, Applicants respectfully submit that Krane also does not teach or suggest the additional claimed features of the present invention as recited in Claims 2-9 and 13-15 that are dependent on allowable base Claim 1, and Claims 18 and 21-24 that are dependent on allowable base Claim 17. Applicants respectfully submit that Claims 2-9, 13-15, 18 and 21-24 overcome the rejection under 35 U.S.C. § 102(b) as these claims are dependent on allowable base claims.

CLAIM REJECTIONS - 35 U.S.C. § 102(e)

Claims 1-22 are rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent 5915,001 by Uppaluru, hereinafter the "Uppaluru" reference. Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 1-22 is not anticipated by Uppaluru.

Claim 1, and similarly Claim 17, recites the limitation of streaming content to a telephone in response to an Internet access request based on an implicit preference of a user profile. Uppaluru fails to teach or suggest this claim limitation. On the contrary, Uppaluru teaches a system and method for providing and using universally accessible voice and speech data files. In particular, Applicants understand Uppaluru to teach a system for presenting information based on an explicit request for information.

As described above, the claimed embodiments of the present invention provide a method for providing streaming content over a telephone interface wherein the streaming content is implicitly requested. A user profile is comprised of information implicitly gathered "based on the user's behaviors and actions" during a call (page 30, lines 21-22, emphasis added). Thus, the claimed embodiments provide streaming content to a user in response to an Internet request based on an implicit preference of a user profile. As such,

streaming content can be provided to a user without the user explicitly requesting the content. In particular, the user personalization profile is based on actions and behaviors of the user.

In contrast, Uppaluru teaches a system for presenting information over a telephone, wherein the information is presented in response to an <u>explicit</u> request for the information (see col. 18, lines 5-8 and 30-33, col. 19, lines 36-38, and col. 20, lines 23-25). In particular, a specific action by a user is required to receive information. Furthermore, Uppaluru teaches automatic query form fill in for requested information (col. 19, lines 7-23). The query form is filled in from information included in a preferences page that is explicitly generated by the user (col. 10, lines 9-13). More particularly, the query form is completed only in response to an explicit user request (col. 19, lines 36-45). Applicants respectfully assert that Uppaluru describes a system where the information is presented in response to an explicit user command.

Applicants respectfully submit that Uppaluru does not teach, describe or suggest a method for providing streaming content over a telephone interface wherein the streaming content is implicitly requested. In particular, the system as taught in Uppaluru does not teach or suggest a method for providing streaming content to a telephone in response to an Internet request based on an implicit preference of a user profile. On the contrary, Uppaluru teaches a

system where the information is presented based on an explicit user command.

Applicants respectfully assert that Uppaluru teach, disclose or suggest the present invention as recited in independent Claims 1, 17 and 25, and that Claims 1, 17 and 25 are thus in condition for allowance. Therefore, Applicants respectfully submit that Uppaluru also does not teach or suggest the additional claimed features of the present invention as recited in Claims 2-16 that are dependent on allowable base Claim 1, and Claims 18-24 that are dependent on allowable base Claim 17. Applicants respectfully submit that Claims 2-16 and 18-24 overcome the rejection under 35 U.S.C. § 102(e) as these claims are dependent on allowable base claims.

CLAIM REJECTIONS - 35 U.S.C. § 103(a)

Claims 1-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent 6,199,099 by Gershman et al., hereinafter the "Gershman" reference, in view of European Patent 0 847 179 A2 by Mayer, hereinafter the "Mayer" reference. Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 1-25 is not anticipated nor rendered obvious by Gershman in view of Mayer.

Claim 1, and similarly Claim 17, recites the limitation of streaming content to a telephone in response to an Internet access request based on an implicit preference of a user profile. Gershman fails to teach or suggest this claim limitation. Mayer fails to remedy this default. On the contrary, Gershman teaches a system for obtaining information on a mobile computing environment. In particular, Applicants understand Gershman to teach a system for presenting information based on an explicit request for information.

As described above, the claimed embodiments of the present invention provide a method for providing streaming content over a telephone interface wherein the streaming content is implicitly requested. A user profile is comprised of information implicitly gathered "based on the user's behaviors and actions" during a call (page 30, lines 21-22, emphasis added). Thus, the claimed embodiments provide streaming content to a user in response to an Internet request based on an implicit preference of a user profile. As such, streaming content can be provided to a user without the user explicitly requesting the content. In particular, the user personalization profile is based on actions and behaviors of the user.

In contrast, Gershman teaches a system for obtaining information over a distributed computer network, wherein the information is presented in response to a query based in part on user input (Abstract, col. 31, lines 35-39, col. 33, lines 63-66, col. 34, lines 22-26, and col. 36, lines 6-9). In particular, a

specific action by a user is required to receive information. Furthermore, Gershman teaches an egocentric interface that is customized according to a user's personal information (col. 30, lines 30-34). Applicants understand the egocentric interface to include only information that has been explicitly entered into a user's personal information (e.g., personal calendar and contact lists). Furthermore, the egocentric interface is accessed in response to an explicit user request (col. 31, lines 35-39). Applicants respectfully assert that Gershman describes a system where the information is presented in response to an explicit user command.

Applicants respectfully submit that Gershman does not teach, describe or suggest a method for providing streaming content over a telephone interface wherein the streaming content is implicitly requested. In particular, the system as taught in Gershman does not teach or suggest a method for providing streaming content to a telephone in response to an Internet request based on an implicit preference of a user profile. On the contrary, Gershman teaches a system where the information is presented based on an explicit user command.

Moreover, the combination of Gershman and Mayer fails to teach or suggest this claim limitation because Mayer does not overcome the shortcomings of Gershman. Mayer, alone or in combination with Gershman, does not show or suggest a method for providing streaming content over a

telephone interface wherein the streaming content is implicitly requested. As described above, Gershman teaches a system for presenting information over a telephone in response to an explicit command.

Applicants understand Mayer to teach a system and method for voiced interface with hyperlinked information. In particular, Mayer does not teach a method for providing streaming content in response to an implicit request. The system of Mayer presents an audio browser. However, Mayer is silent as to user profiles including an implicit preference, or receiving an Internet request based on an implicit preference of a user profile. Therefore, Applicants respectfully assert that Mayer does not teach, suggest or describe the claimed invention.

Applicants respectfully assert that nowhere does the combination of Gershman and Mayer teach, disclose or suggest the present invention as recited in independent Claims 1, 17 and 25, and that Claims 1, 17 and 25 are thus in condition for allowance. Therefore, Applicants respectfully submit the combination of Gershman and Mayer also does not teach or suggest the additional claimed features of the present invention as recited in Claims 2-16 that are dependent on allowable base Claim 1, and Claims 18-24 that are dependent on allowable base Claim 17. Applicants respectfully submit that Claims 2-16 and 18-24 overcome the rejection under 35 U.S.C. § 103(a) as these claims are dependent on allowable base claims.
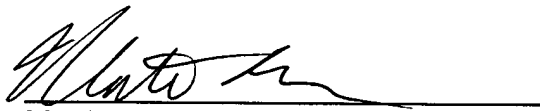
CONCLUSION

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims. Based on the arguments presented above, Applicants respectfully assert that Claims 1-25 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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